



PATENT  
ATTY DOCKET: 692-38

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicants: SWEENEY, Charles M.

Art Unit: 2632

Serial No: 10/803,650

Filed: March 18, 2004

For: **UNDERSEAT MONITOR**

Mail Stop Missing Parts  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**RESPONSE TO NOTICE TO FILE MISSING PARTS  
OF APPLICATION - FILING DATE GRANTED**

Sir:

In response to the Notice to File Missing Parts of Application - Filing Date Granted, dated June 3, 2004, enclosed herewith are Ten (10) replacement drawing sheets and an executed Declaration and Power of Attorney in compliance with 37 C.F.R. §1.63, in the above-identified application. It is respectfully requested that the enclosed replacement drawing sheets be substituted for the drawing sheets now in the official file for this application.

Also enclosed is a check for \$65.00 to cover the surcharge under 37 C.F.R. §1.16(e) along with a copy of the Notice to File Missing Parts of Application - Filing Date Granted.

It is noted that a Preliminary Amendment and an Information Disclosure Statement were filed on August 3, 2004 in this application.

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**CERTIFICATE OF MAILING UNDER 37 C.F.R. §1.8(a)**

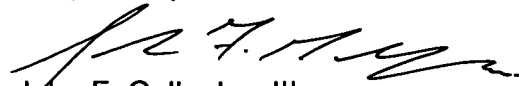
I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail, postpaid in an envelope, addressed to the: Mail Stop Missing Parts, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date set forth immediately below.

Dated: September 3, 2004

  
Danielle Ryan

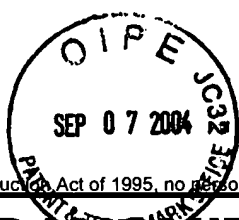
If the enclosed check is insufficient for any reason or becomes detached,  
please charge the required fee under 37 C.F.R. §1.16(e) to Deposit Account No. 04-  
1121. TWO (2) COPIES OF THIS SHEET ARE ENCLOSED.

Respectfully submitted,



John F. Gallagher III  
Registration No. 47,234  
Attorney for Applicants

DILWORTH & BARRESE, LLP  
333 Earle Ovington Blvd.  
Uniondale, NY 11553  
(516) 228-8484



PTO/SB/17 (10-03)

Approved for use through 07/31/2006. OMB 0651-0032

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

# FEE TRANSMITTAL for FY 2004

Patent fees are subject to annual revision.

☐ Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$ 55.00)

**Complete if Known**

|                      |                     |
|----------------------|---------------------|
| Application Number   | 10/803,650          |
| Filing Date          | March 18, 2004      |
| First Named Inventor | SWEENEY, Charles M. |
| Examiner Name        |                     |
| Art Unit             | 2632                |
| Attorney Docket No.  | 692-38              |

**METHOD OF PAYMENT** (check all that apply)☒ Check ☐ Credit card ☐ Money Order ☐ Other ☐ None☐ Deposit Account:Deposit  
Account  
Number  
Deposit  
Account  
Name

04-1121

Dilworth &amp; Barrese LLP

The Commissioner is authorized to: (check all that apply)

☐ Charge fee(s) indicated below ☒ Credit any overpayments☒ Charge any additional fee(s) during the pendency of this application☐ Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.**FEE CALCULATION****1. BASIC FILING FEE**

| Large Entity |          | Small Entity |          | Fee Description        | Fee Paid  |
|--------------|----------|--------------|----------|------------------------|-----------|
| Fee Code     | Fee (\$) | Fee Code     | Fee (\$) |                        |           |
| 1001         | 770      | 2001         | 385      | Utility filing fee     |           |
| 1002         | 340      | 2002         | 170      | Design filing fee      |           |
| 1003         | 530      | 2003         | 265      | Plant filing fee       |           |
| 1004         | 770      | 2004         | 385      | Reissue filing fee     |           |
| 1005         | 160      | 2005         | 80       | Provisional filing fee |           |
| SUBTOTAL (1) |          |              |          |                        | (\$ 0.00) |

**2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE**

|                    |                      | Extra Claims |                      | Fee from below |                      | Fee Paid |
|--------------------|----------------------|--------------|----------------------|----------------|----------------------|----------|
| Total Claims       | <input type="text"/> | -20** =      | <input type="text"/> | X              | <input type="text"/> | = 0.00   |
| Independent Claims | <input type="text"/> | - 3** =      | <input type="text"/> | X              | <input type="text"/> | = 0.00   |
| Multiple Dependent |                      |              |                      |                |                      | =        |

| Large Entity |          | Small Entity |          | Fee Description  |
|--------------|----------|--------------|----------|--|
| Fee Code     | Fee (\$) | Fee Code     | Fee (\$) |  |
| 1202         | 18       | 2202         | 9        | Claims in excess of 20                                     |
| 1201         | 86       | 2201         | 43       | Independent claims in excess of 3                          |
| 1203         | 290      | 2203         | 145      | Multiple dependent claim, if not paid                      |
| 1204         | 86       | 2204         | 43       | ** Reissue independent claims over original patent         |
| 1205         | 18       | 2205         | 9        | ** Reissue claims in excess of 20 and over original patent |

SUBTOTAL (2) (\$ 0.00)

\*\*or number previously paid, if greater; For Reissues, see above

**FEE CALCULATION** (continued)**3. ADDITIONAL FEES**

Large Entity Small Entity

| Fee Code | Fee (\$) | Fee Code | Fee (\$) | Fee Description  | Fee Paid |
|----------|----------|----------|----------|--|----------|
| 1051     | 130      | 2051     | 65       | Surcharge - late filing fee or oath  |          |
| 1052     | 50       | 2052     | 25       | Surcharge - late provisional filing fee or cover sheet                     |          |
| 1053     | 130      | 1053     | 130      | Non-English specification  |          |
| 1812     | 2,520    | 1812     | 2,520    | For filing a request for ex parte reexamination                            |          |
| 1804     | 920*     | 1804     | 920*     | Requesting publication of SIR prior to Examiner action                     |          |
| 1805     | 1,840*   | 1805     | 1,840*   | Requesting publication of SIR after Examiner action                        |          |
| 1251     | 110      | 2251     | 55       | Extension for reply within first month                                     | 55.00    |
| 1252     | 420      | 2252     | 210      | Extension for reply within second month                                    |          |
| 1253     | 950      | 2253     | 475      | Extension for reply within third month                                     |          |
| 1254     | 1,480    | 2254     | 740      | Extension for reply within fourth month                                    |          |
| 1255     | 2,010    | 2255     | 1,005    | Extension for reply within fifth month                                     |          |
| 1401     | 330      | 2401     | 165      | Notice of Appeal   |          |
| 1402     | 330      | 2402     | 165      | Filing a brief in support of an appeal                                     |          |
| 1403     | 290      | 2403     | 145      | Request for oral hearing   |          |
| 1451     | 1,510    | 1451     | 1,510    | Petition to institute a public use proceeding                              |          |
| 1452     | 110      | 2452     | 55       | Petition to revive - unavoidable   |          |
| 1453     | 1,330    | 2453     | 665      | Petition to revive - unintentional   |          |
| 1501     | 1,330    | 2501     | 665      | Utility issue fee (or reissue)   |          |
| 1502     | 480      | 2502     | 240      | Design issue fee   |          |
| 1503     | 640      | 2503     | 320      | Plant issue fee  |          |
| 1460     | 130      | 1460     | 130      | Petitions to the Commissioner  |          |
| 1807     | 50       | 1807     | 50       | Processing fee under 37 CFR 1.17(q)  |          |
| 1806     | 180      | 1806     | 180      | Submission of Information Disclosure Stmt                                  |          |
| 8021     | 40       | 8021     | 40       | Recording each patent assignment per property (times number of properties) |          |
| 1809     | 770      | 2809     | 385      | Filing a submission after final rejection (37 CFR 1.129(a))                |          |
| 1810     | 770      | 2810     | 385      | For each additional invention to be examined (37 CFR 1.129(b))             |          |
| 1801     | 770      | 2801     | 385      | Request for Continued Examination (RCE)                                    |          |
| 1802     | 900      | 1802     | 900      | Request for expedited examination of a design application                  |          |

Other fee (specify)

\*Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$ 55.00)

**SUBMITTED BY**

(Complete if applicable)

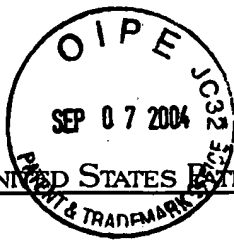
|                   |                       |                                   |                   |           |                |
|-------------------|-----------------------|-----------------------------------|-------------------|-----------|----------------|
| Name (Print/Type) | John F. Gallagher III | Registration No. (Attorney/Agent) | 47,234            | Telephone | (516) 228-8484 |
| Signature         |                       | Date                              | September 3, 2004 |           |                |

**CERTIFICATION UNDER 37 C.F.R. §1.8(a)**

I hereby certify that this correspondence and the documents referred to as enclosed are being deposited with the United States Postal Service as first class mail in an envelope addressed to: Mail Stop Missing Parts, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Dated: September 3, 2004

Danielle Ryan



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
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P.O. Box 1450  
Alexandria, Virginia 22313-1450  
www.uspto.gov

IFW

| APPLICATION NUMBER | FILING OR 371 (c) DATE | FIRST NAMED APPLICANT | ATTORNEY DOCKET NUMBER |
|--------------------|------------------------|-----------------------|------------------------|
| 10/803,650         | 03/18/2004             | Charles M. Sweeney    | 692-38                 |

CONFIRMATION NO. 5333

FORMALITIES LETTER



\*OC000000012851174\*

28249  
DILWORTH & BARRESE, LLP  
333 EARLE OVINGTON BLVD.  
UNIONDALE, NY 11553

Date Mailed: 06/03/2004

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

*Filing Date Granted*

Items Required To Avoid Abandonment:

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The oath or declaration is missing.  
*A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.*
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$65 for a small entity in compliance with 37 CFR 1.27, must be submitted with the missing items identified in this letter.

The application is informal since it does not comply with the regulations for the reason(s) indicated below.

The required item(s) identified below must be timely submitted to avoid abandonment:

- Replacement drawings in compliance with 37 CFR 1.84 and 37 CFR 1.121 are required. The drawings submitted are not acceptable because:
  - The drawing sheets do not have the appropriate margin(s) (see 37 CFR 1.84(g)). Each sheet must include a top margin of at least 2.5 cm. (1 inch), a left side margin of at least 2.5 cm. (1 inch), a right side margin of at least 1.5 cm. (5/8 inch), and a bottom margin of at least 1.0 cm. (3/8 inch). See Figures(s) 2a, b 3a, 4a, b.
  - The drawings have a line quality that is too light to be reproduced (weight of all lines and letters must be heavy enough to permit adequate reproduction) or text that is illegible (reference characters, sheet numbers, and view numbers must be plain and legible) see 37 CFR 1.84(l) and (p)(1)); See Figure(s) 6.
  - The drawings submitted to the Office are not electronically reproducible. Drawing sheets must be submitted on paper, which is flexible, strong, white, smooth, non-shiny, and durable (see 37 CFR 1.84(e)). See Figure(s) ALL.

09/08/2004 00000101 10803650  
55.00-00  
65.00 0P  
02 FC:2051

**SUMMARY OF FEES DUE:**


Total additional fee(s) required for this application is **\$65** for a Small Entity

- **\$65** Late oath or declaration Surcharge.

Replies should be mailed to: Mail Stop Missing Parts  
Commissioner for Patents  
P.O. Box 1450  
Alexandria VA 22313-1450

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*A copy of this notice **MUST** be returned with the reply.*



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Customer Service Center  
Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE